



Marshall Sports Medicine Institute

Welcome to Our Practice

Thank you for choosing Marshall Orthopaedics! We will make every effort to ensure that your experience with our office is exemplary.

Enclosed you will find new patient information forms. Please fill this paperwork out at your convenience and bring it with you to your appointment. In addition to this completed paperwork, please also bring the following with you:

1. Unless taken at Cabell Huntington Hospital or Marshall Health - Teays Valley, any relevant x-rays, MRIs, CT scans or other testing on a disc or film with a written office report. Also if you have had a previous surgery, please bring the operative report.
2. A current list of all your medications and current insurance cards so that we may make a copy of them for your medical chart.

The failure to bring this information with you may result in the rescheduling of your appointment.

Please try to arrive approximately 15 minutes before your scheduled appointment time.

This will help avoid delays for you and other patients as our office strives to provide quality care and to best meet all patients' needs.

Directions to Marshall Sports Medicine Institute

DRIVING WEST ON INTERSTATE 64: In Huntington, take exit 15 (29th Street). Once off the ramp, veer to the right. Follow U.S. Route 60 to 2211 Third Avenue. It is adjacent to Marshall University's football stadium.

DRIVING EAST ON INTERSTATE 64: In Huntington, take exit 15 (29th Street). Once off the ramp, take a left at the traffic light onto U.S. Route 60 to 2211 Third Avenue. It is adjacent to Marshall University's football stadium.

Valet parking is available for your convenience.

REV 04-23

DO NOT WRITE IN THIS BOX



M-129

PATIENT INFORMATION LABEL

Marshall Orthopaedics Financial Policy

Thank you for choosing Marshall Orthopaedics as your healthcare provider. We are committed to providing you with compassionate care with the best possible results. It is important that you have a clear understanding of your financial responsibility. Please read below regarding financial expectations.

CO-PAYMENTS. Co-payments are required on the date of service. Many co-pay amounts will be displayed directly on your insurance card. We accept cash, check and credit cards.

CO-INSURANCE/DEDUCTIBLE. Depending on your insurance plan, you as the patient may owe a portion of the fee for your surgery. In these cases, pre-payment for surgery is required. An employee from our billing office will be in contact with you to arrange for payment.

INSURANCE. Please bring all insurance cards to each appointment as we will verify your insurance information at each visit.

UNINSURED PATIENTS. All non-urgent appointment requests will require payment prior to or on the date of service in order to see a physician. If you are unable to make the entire payment up front, payment plans with our billing office are available. To speak with our billing office, please call 304-691-8586.

INSURANCE FORMS. Because of the time requirements placed on our physicians and support staff, a fee will apply for some types of insurance forms. Please see fee schedule below for form requests:

- Workers Compensation Forms – Free
- Insurance Pre-Authorization – Free
- Return to Work/School – Free
- Family Medical Leave Act - \$25
- Short-Term Disability Forms - \$25

Patient signature: _____ Date: _____

REV 04-23

DO NOT WRITE IN THIS BOX



M-129

PATIENT INFORMATION LABEL

New Patient Form

Patient name (printed): _____ Date of birth: _____ Age: _____

Family doctor: _____ Referring doctor: _____

Chief complaint (reason for visit – be specific): _____

Which side of your body is affected? Left Right Are you: right-handed or left-handed

For how long have you had your symptoms? _____ days _____ weeks _____ months _____ years

Was there an accident/fall associated with it? _____

What kind of symptoms are you experiencing?

Numbness Tingling Weakness Clicking Locking Catching Giving Way Falling

On a scale of 1-10, rate your pain: 1 2 3 4 5 6 7 8 9 10(worst)

Describe the quality of the pain: Sharp Dull Like a toothache Burning

Does the pain shoot up or down? Yes No When is it worse? Morning Night With activity At rest

What makes the pain better? Medication Heat/Ice Therapy Braces Other _____

What type of treatments have you tried?

Ice/Heat Crutches Physical Therapy Other _____ Surgery _____

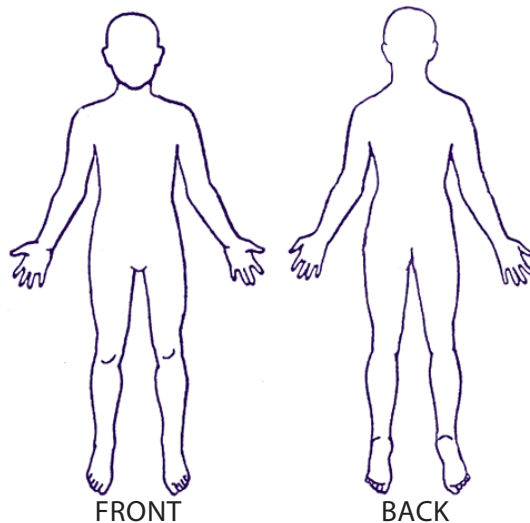
Medication Chiropractor Tens unit Massage Injections (date of last injection) _____

Have you had any imaging? X-ray CT MRI Bone scan Other _____

What activities is this stopping you from doing? _____

What expectations do you have from treatment? _____

Please draw out your symptoms. Use "X" for pain and "O" for numbness. Use arrows to show shooting pain.



REV 04-23

DO NOT WRITE IN THIS BOX



M-129

PATIENT INFORMATION LABEL

Patient name (printed): _____ Date of birth: _____

MEDICAL HISTORY

Have you ever had the following problems? (Check all the apply)

- Cancer (tumor): What kind? _____
- High Blood Pressure
- Hay Fever
- Asthma
- Heart attack
- Heart failure
- Rhythm trouble
- Emphysema
- COPD
- Tuberculosis
- Pneumonia
- High Cholesterol
- Unusual bleeding
- Anemia (low blood)
- Hepatitis
- Cirrhosis
- Other liver problems
- Arthritis (osteoarthritis)
- Rheumatism
- Lupus
- Gout
- DVT (blood clot in the leg)
- PE (blood clot in the lungs)
- Gallstones
- Other gallbladder problems
- Diabetes (sugar)
- Stomach Problems
- Reflux (heartburn)
- Ulcers
- Kidney Trouble
- Bladder Trouble
- Thyroid disease
- Epilepsy (fits/seizures/convulsions)
- Stroke
- Anxiety
- Depression
- Other emotional problem
- Reaction to anesthesia: What kind? _____

Please list all **surgeries** you have had:

| SURGERY | DATE | WHERE | SURGEON |
|---------|------|-------|---------|
| | | | |
| | | | |
| | | | |
| | | | |


Please list all the medicines you are currently taking (including over the counter medicines):

| DRUG | DOSE | FREQUENCY | DRUG | DOSE | FREQUENCY |
|------|------|-----------|------|------|-----------|
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

MEDICATION ALLERGIES: _____

REV 04-23

DO NOT WRITE IN THIS BOX



M-129

PATIENT INFORMATION LABEL

Patient name (printed): _____ Date of birth: _____

SOCIAL QUESTIONS

Do you currently smoke or chew? Yes No _____ packs/cans per day and for _____ years

Did you ever smoke or chew? Yes No When did you quit? _____

Do you drink alcohol? Yes No How often? _____

What do you do for a living? _____

Do you exercise? Yes No How often? _____

FAMILY HISTORY

Back problems/scoliosis: Yes No _____ High Cholesterol: Yes No _____

Cancer: Yes No _____ Diabetes: Yes No _____

Heart disease: Yes No _____ Lung Disease: Yes No _____

High blood pressure: Yes No _____ Reaction to Anesthesia: Yes No _____

Bleeding or blood clotting disorder: Yes No _____

Have you experienced any of the following within the past 6 months? (Check all that apply)

- Unintentional weight loss Frequent rectal bleeding Tar-like Stool Frequent fevers Sweats Chills
- Frequent nausea Vomiting Serious problems with eyes Frequent pain or problems urinating
- Serious problems with ears Persistently swollen glands Difficulty swallowing Skin problems Skin sores
- Frequent cough Wheezing Redness of joints Swelling in joints Shortness of breath at rest
- Shortness of breath with activity Unusual or persistent back pain Racing heart (palpitations)
- Excessive stress from home or work Chest pain at rest Chest pain with activity
- Persistent swelling the legs or ankles Frequent constipation Frequent diarrhea Frequent headaches

The information provided in this form is accurate to the best of my knowledge.

Patient signature: _____ Date: _____

I have personally reviewed the information in this form with the patient.

Physician signature: _____ Date: _____

REV 04-23

DO NOT WRITE IN THIS BOX



M-129

PATIENT INFORMATION LABEL

PATIENT INFORMATION

Patient name: _____
(last) (first) (middle) (maiden)

Preferred name: _____ Preferred pronouns: _____

Gender identity: Male/Man Female/Woman Transgender Man Transgender Woman
 Non-binary/nonconforming Prefer not to respond _____

Sex assigned at birth: M F DOB: _____ Marital status: Single Married Divorced Widowed

Social security number: _____ Email: _____

Preferred language: Arabic Chinese English German Hindi Russian Spanish Other _____

Race: African American Alaska Native Asian Caucasian/White Hispanic/Latino Native American
 Pacific Islander Declined

Ethnicity: Hispanic/Latino Non-Hispanic/Latino Declined

Patient address: _____
(street)

_____ (city) (state) (zip)

Driver's license number: _____ (state)

Home phone: _____ Work phone: _____ Mobile phone: _____

Employer name: _____

Employer address: _____
(street) (city) (state) (zip)

Primary care provider: _____

If under 18, who is parent/legal guardian?

Guardian name: _____ DOB: _____

Responsible party (person who will be responsible for any amount not covered by insurance): _____

Relationship to patient: _____ Social security number: _____ DOB: _____

Address: _____
(street) (city) (state) (zip)

Home phone: _____ Work phone: _____ Mobile phone: _____

Employer name: _____

Employer address: _____
(street) (city) (state) (zip)

Spouse's name/other parent if under 18: _____

Employer name: _____ Work phone: _____


In case of an emergency, notify (friend or relative not in your home):

Name: _____ Relationship to patient: _____

Phone: _____

REV 04-23

DO NOT WRITE IN THIS BOX



M-129

PATIENT INFORMATION LABEL

INSURANCE INFORMATION

Primary medical insurance: _____ Phone: _____

Policyholder name: _____ DOB: _____

Address: _____
(street) (city) (state) (zip)

ID number: _____ Group number: _____

Plan number: _____ Effective date: _____ Expiration date: _____

Secondary medical insurance: _____ Phone: _____

Policyholder name: _____ DOB: _____

Address: _____
(street) (city) (state) (zip)

ID number: _____ Group number: _____

Plan number: _____ Effective date: _____ Expiration date: _____

Other health insurance (Dental, Worker's Comp., Medicare Supplement, etc.)

Insurance: _____ Policyholder name: _____ DOB: _____

Policyholder's relationship to patient: _____ Policyholder's employer: _____

Insurance address: _____
(street) (city) (state) (zip)

ID number/SSN: _____ Group number: _____

Plan number: _____ Effective date: _____ Expiration date: _____

If patient is under 18 years old, please list other children in the household.

CHILD'S NAME (PLEASE LIST NAME CHILD PREFERS)

CHILD'S BIRTHDATE

1. _____ Male Female _____

2. _____ Male Female _____

3. _____ Male Female _____

4. _____ Male Female _____

5. _____ Male Female _____

How did you hear about Marshall Health?

Billboard

Newspaper ad

Social media (Facebook, Twitter, etc.)

Web search (Google, Bing, etc.)

Referred by a friend/family member

Television ad

Referred by a provider (name): _____

Other: _____

REV 04-23

DO NOT WRITE IN THIS BOX



M-129

PATIENT INFORMATION LABEL

PATIENT'S AGREEMENT

Revised 4/2023

Please Read Carefully

I consent to care and treatment. I consent to examination, treatment and testing as advised by the physicians and other providers of Joan C. Edwards School of Medicine ("the School") and Marshall Health. I understand that Marshall Health is associated with a university. I give permission for health care professionals in training to observe and participate in my care and treatment under the supervision of licensed health care providers. In addition, I consent to the use or disclosure of my protected health information by the School and Marshall Health to diagnose and treat me, to obtain payment for my bills and to conduct its health care operations and business. I understand I may receive a call or survey from the determined Marshall Health vendor asking about my satisfaction with my care and services at Marshall Health.

I further consent to any treatment and testing by Cabell Huntington Hospital, Inc. ("Cabell"), such as laboratory testing and radiology procedures, which may be performed at the request of my physician or other provider. I understand that I may receive a survey by phone, mail or email from Press Ganey asking about my satisfaction with my care and services provided by Cabell. I understand that the email address provided may be used to invite me to enroll in Cabell's patient portal. I may also receive calls from Cabell staff to follow up on my care and treatment. I agree that the terms and conditions set forth in this Patient's Agreement, including the agreement to pay for the cost of care, shall also apply to treatment and testing by Cabell.

I have received the Notice of Privacy Practices. I have received the Notice of Privacy Practices of the School and Marshall Health, which tells how my health information may be used and shared. I understand that these institutions reserve the right to revise the notice at any time, and that I can always get the current copy by asking for it.

I agree that payments can be made directly to Marshall Health. I allow Marshall Health to directly bill and collect payment from my insurance company, Medicare, Medicaid or other person or entity that pays my medical bills. I assign my right to receive payment of any insurance to Marshall Health, including Medicare, Medicaid or other benefits payable from any source. Some insurance companies will not pay for services unless they authorize the service in advance. I understand it is my responsibility to inform Marshall Health if my insurance policy requires such authorization (sometimes it is called precertification).

I agree to pay for the cost of care. I accept full responsibility for the cost of all services that Marshall Health provides to me. I promise to personally pay all expenses and charges that are not paid by my insurance company or anyone else, but only to the extent that Marshall Health legally may bill me for such expenses and charges.

I can cancel this agreement. I understand that I can revoke this agreement in writing. This can be done at any time by delivering to Marshall Health a written statement of revocation, except to the extent that the School and Marshall Health have taken action in reliance on this consent, agreement and authorization. I will be financially responsible for any medical services provided before the date of such revocation.

I agree to follow-up calls and/or emails. I expressly give my consent that University Physicians & Surgeons, dba Marshall Health ("Marshall Health") and its employees and independent contractors, may deliver or cause to be delivered to me telephone calls, telephone voice messages and telephone text messages or emails, for any purposes related to my health care that Marshall Health deems appropriate and that are permitted by law, by using an automated telephone dialing system or an artificial or prerecorded voice or message. I understand that I am not required to give this consent to Marshall Health as a condition of being treated or receiving services.

I agree to the use of telemedicine. I authorize Marshall Health to use telemedicine in the course of my diagnosis and treatment. I understand that some visits are better served by a traditional face-to-face encounter and at any time the telehealth visit may be scheduled as a face-to-face. I understand that the laws that protect privacy and confidentiality of medical information also apply to telemedicine, and that no information or images obtained in the use of telemedicine, which identifies me will be will be disclosed to other entities without further consent.

I have read this form and I fully understand to what I am agreeing. *(The patient or another responsible party on behalf of the patient must sign this Agreement. Upon signing, the responsible party assumes all liability for the consents, authorizations and financial responsibility discussed above.)*

Patient/Legal representative signature: _____ Date: _____

STATEMENT OF PATIENT'S LEGAL REPRESENTATIVE OR AGENT

I give the consents and authorizations made above on behalf of the patient, and I have the authority to do so. The patient did not sign because he or she is (check one):

- A minor (under 18 years of age)
- Mentally or physically unable to understand to sign
- Other (describe): _____

I am authorized to sign for the patient because: (for example: being a parent or having medical power of attorney)

REV 04-23

DO NOT WRITE IN THIS BOX



M-129

PATIENT INFORMATION LABEL



Marshall Health

Notice of Privacy Practices

This notice describes how medical information about you may be used and disclosed and how you can get access to this information.

PLEASE READ IT CAREFULLY.

DEFINITIONS. The words “we”, “us” and “our”, as used in this notice, all refer to University Physicians & Surgeons, Inc., also known as Marshall Health, and all its employees. When we use the word “you” or “your” in this notice, we mean any person about whom we have any medical information that we received or created in our capacity as a health care provider. If any such person is a minor or has a legal guardian or other personal representative, then, as to those persons, this notice is directed to the minor’s parent, or to the legal guardian, or other personal representative, but “you” and “your” refer to the minor or incompetent person. The words “medical information”, as used in this notice, mean information received or created by us about your health care and from which it is reasonable for us to believe you could be identified. Such information is referred to as “protected health information” in federal health care privacy laws. Information from which you could not be identified is not protected health information and is not “medical information”, as that term is used in this notice.

OUR DUTIES AS TO YOUR MEDICAL INFORMATION. We have the following duties as to your medical information:

We are required by law to maintain the privacy of your medical information, to provide to you notice of our legal duties and privacy practices as to your medical information, and to notify you following any breach of your medical information. By “breach of your medical information”, we mean, generally, the acquisition, access to, use or disclosure of your medical information in a manner that is not permitted by applicable health care privacy laws. However, certain unintentional and inadvertent acquisitions, access, uses and disclosures; disclosures as a result of which we or our contractors believe in good faith the unauthorized person to whom the disclosure was made would not reasonably have been able to retain the information; and acquisitions, access, uses and disclosures with respect to which we can demonstrate there is a low probability that the information has been compromised are not considered breaches. Disclosure of information that has been rendered unusable or unreadable by the use of a method approved by designated government officials is not considered to be a breach.

We are required by law to abide by the terms of this notice as long as this notice remains in effect.

We reserve the right to change the terms of this notice and to make the notice provisions effective for all medical information that we maintain. If we revise this notice, we will make the revised notice available to take with you upon request from any of our clinical offices; we will post the revised notice in a clear and prominent location in each of our clinical offices, where you may read it; and we will post the revised notice on our website at marshallhealth.org/patients.

YOUR RIGHTS AS TO YOUR MEDICAL INFORMATION. What follows is a statement of your rights as to your medical information and a brief description of how you may exercise those rights:

You have a right to request that we restrict certain uses and disclosures of your medical information. If you request that we restrict disclosure to your health plan of your medical information related to a health care item or service, we must agree to that restriction under the following circumstances:

- if you or someone on your behalf other than your health plan has paid in full for that health care item or service; and

- the purpose of the disclosure you request that we restrict would be for payment or health care operations and is not required by law. We are not required to agree to other restrictions you request on use or disclosure of your medical information, if those uses and disclosures are otherwise permitted by law.

You have a right to request or receive communications about your medical information from us or our contractors by alternate means or at alternate locations to protect the confidentiality of such communications, and, to the extent your requests are reasonable, we must accommodate them.

You have a right to inspect and receive a copy of your medical information except for:

- psychotherapy notes;
- information compiled in reasonable anticipation of a civil, criminal or administrative proceeding;
- and certain information that is subject to restriction under law.

You have a right to have us amend your medical information, unless we determine that the medical information that is the subject of your request to amend:

- was not originated by us and the originator of the information remains available to act on the requested amendment;
- is not in records that we maintain and that specifically are about you (that is, the records you request us to amend are not in a “designated record set” as that term is defined in applicable law); or
- is not in records that you would have a right to inspect, as described above.

You have a right to receive an accounting of disclosures of your medical information made by us in the six years prior to the date on which your request for an accounting is made, except for disclosures required or permitted by law and made:

- to carry out treatment, payment, and health care operations;
- to you;
- without your authorization but required or permitted by applicable law;
- pursuant to your written authorization;
- for directory or notification purposes;
- for national security or intelligence purposes;
- to correctional institutions or law enforcement officials;
- after excluding certain identifying information about you, and your relatives, household members and employers as permitted by law (that is, disclosures in a “limited data set” as that term is defined by applicable law); or
- before we were required to comply with the federal laws that require this notice.

You have a right to have, on request, a paper copy of this notice, even if you previously have agreed to receive notices about your medical information electronically.

You may exercise all the rights described above by sending a written request to our Privacy Officer clearly stating what you want us to do, using the contact information given at the end of this notice. You may make a request for a written copy of this notice at any of our clinical offices or by contacting our Privacy Officer, using the contact information provided at the end of this notice.

You may COMPLAIN to us or to the Secretary of the United States Department of Health and Human Services, if you believe that your privacy rights have been violated. To make a complaint to us, you may contact our Privacy Officer, using the contact information provided at the end of this notice. We may require that you submit any complaint in writing to our Privacy Officer.

USES AND DISCLOSURES WE MAY MAKE WITHOUT YOUR AUTHORIZATION. We may use and disclose medical information about you for the following purposes without your authorization, except as limited in this notice:

Treatment. We will use and disclose your medical information to provide health care for you and to coordinate or manage your health care. We will disclose necessary medical information to the people or organizations involved in your care (such as doctors, nurses, physician assistants, technicians, medical students, hospitals and other health care personnel or organizations), whether or not they are employed by or affiliated with Marshall Health. For example, we may disclose your medical information to a specialist, lab or other provider or facility that your doctor has asked to help with your care.

Payment. We will use and disclose your medical information to obtain payment for the health care services we provide to you. We may disclose information about you to find out whether a service is covered, and for billing, claims

management, medical data processing and payment. The information we use and disclose for payment purposes may include copies of parts or all of your medical records that we believe are necessary for payment. For example, we may send your insurance company information that identifies you, your diagnosis and the procedures and supplies used to treat you in order to receive payment from your insurance company.

Health Care Operations. We will use and disclose your medical information to carry out the business activities of our practice, to assess the quality of care we have provided and to review the performance of our employees. For example, we may share your medical information with health care professionals in training and with our employees who are not directly involved in your care to provide continuing training and education. We may also disclose your health information to other businesses or individuals with whom we have contracts to provide billing, transcription, consulting or other services necessary to support our work. Before we share medical information with our contractors, we will require those contractors to agree in writing to protect the privacy of your health information in substantially the same way we do.

ADDITIONAL USES AND DISCLOSURES WE MAY MAKE WITHOUT YOUR AUTHORIZATION. We also may use and disclose medical information about you for the following purposes without your authorization, except as limited in this notice:

As required by law, to the extent the use or disclosure complies with and is limited to the relevant requirements of the law.

For public health activities, such as disclosure to government agencies authorized to receive information about certain diseases or to report child abuse or neglect to the appropriate government authorities, to your employer if we provided health care to you at your employer's request and to schools about immunizations if the school is required by law to have such information before admitting you and if we receive your verbal agreement to the disclosure to the school and document that agreement.

To report on victims of abuse, neglect or domestic violence, to agencies authorized to protect such victims, to the extent we believe such disclosures are necessary to protect such victims and to the extent such disclosures are authorized by law.

For health oversight activities, to health oversight agencies for oversight activities authorized by law, such as for audits; civil, criminal, and administrative investigations or proceedings; inspections, licensure or disciplinary actions; or other activities necessary for oversight of the health care system, for oversight of government benefit programs, for government regulation of health care, and for enforcement of civil rights laws.

For judicial and administrative proceedings, in response to court orders and, under some circumstances, to respond to subpoenas.

For law enforcement purposes, in response to court orders or court-ordered warrants; in response to grand jury subpoenas; and, under some circumstances, in response to administrative requests from law enforcement officials, to assist law enforcement in identifying or locating fugitives or missing persons; to alert law enforcement to a death that might have resulted from criminal conduct; to report crime on our premises; and to alert law enforcement of emergency situations.

About persons who have died, to coroners, medical examiners, and funeral directors as necessary for them to carry out their duties.

For organ, eye or tissue donation purposes, to organizations engaged in the procurement, banking or transplantation of organs, eyes or tissue from persons who have died; to facilitate donation or transplantation of organs, eyes or tissue.

For research purposes, under some circumstances, and under the supervision and with the approval of an institutional review board or privacy board that meets the requirements of applicable law.

To avert a serious threat to health or safety, to the extent the use or disclosure is necessary to avert such a threat and is to a person or persons who reasonably are able to prevent or lessen the threat, and to law enforcement authorities when necessary for them to identify or apprehend a person who has admitted commission of a violent crime or who has escaped from a correctional institution, with certain limitations.

For specialized government functions, such as certain military or veterans affairs functions, national security or intelligence functions, protection of certain government officials, medical suitability determinations for government security clearances and as needed for certain custodial duties of correctional facilities and law enforcement agencies.

For workers* compensation purposes, as authorized by and as necessary to comply with laws relating to workers' compensation programs that are established by law and that provide benefits for work-related injuries or illness without regard to fault.

Fundraising communications, to you, to our contractors and to Marshall University-related foundations, limited to use and disclosure of your demographic information, your dates of treatment, your treating physicians and departments, your outcome information and your insurance status. Each time you receive a fundraising communication, you will be reminded that you may opt out of receiving any further fundraising communications with information on how to opt out. If you opt out, you will not receive any further fundraising communications from us unless you opt back in. Your willingness or unwillingness to receive fundraising communications will not affect your treatment by us or payment to us.

ADDITIONAL USES AND DISCLOSURES WE MAKE WITHOUT YOUR AUTHORIZATION UNLESS YOU OBJECT. We also may use and disclose medical information about you for the following purposes without your authorization, unless you object under the circumstances described below and as otherwise limited in this notice:

For facility directory information, we may disclose to clergy your name, your location within our facility, your general condition and your religious affiliation. Except for your religious affiliation, we may disclose the same kinds of information to others who ask for you by name. If you want to restrict or prohibit some or all of the disclosures described in this paragraph for directory information, you may do so by telling our Privacy Officer verbally, by telephone, by email or in writing, using the contact information given at the end of this notice.

To a family member, other relative, close personal friend or any other person identified by you, we may disclose medical information directly relevant to that person's involvement with your health care or payment for your health care, and to others, we may disclose information as to your location, general condition or death, for the purpose of notifying or assisting in the notification of a family member, your personal representative, or another person responsible for your care. For uses and disclosures permitted under this paragraph, if you are present or otherwise available before we make the use or disclosure and if you have the capacity to make health care decisions, we must do at least one of the following things:

- obtain your verbal or written agreement to the use or disclosure;
- give you an opportunity to object to the use or disclosure and receive no objection from you; or
- reasonably infer, based on the exercise of professional judgment, that you do not object to the use or disclosure.

For disclosures permitted under this paragraph, if you are not present before we make the disclosure or an opportunity to agree or object to the use or disclosure cannot practicably be provided because of your incapacity or an emergency circumstance, then we may use professional judgment to determine whether the disclosure is in your best interests, and, if so, use or disclose only the information that is directly relevant to the person's involvement in your health care or payment for your health care or is needed for notification purposes.

West Virginia law places more stringent restrictions than federal law on the disclosure of certain kinds of medical information. The following information in this paragraph applies to uses and disclosures for all the purposes described above:

Generally speaking, but with several exceptions listed in the applicable West Virginia statutes, West Virginia law requires either your written authorization or a court order, for disclosure of information about your mental health care or about HIV or AIDS testing of you. West Virginia law requires that before performing an abortion for a minor, a physician intending to perform the abortion must notify the minor's parent or legal guardian if they can be found, but, under some circumstances, a minor may get a court order forbidding such disclosure. Under West Virginia law, a physician may, at the request of a minor patient, withhold from the patient's parents or legal guardian information about venereal disease treatment, birth control, pre-natal care or drug rehabilitation treatment of the minor. Under West Virginia law, a physician may, at the request of a minor patient whom the physician believes to be a "mature minor" capable of making his or her own health care decisions, withhold medical information about the minor from the minor's parents or legal guardian and may follow the minor's instructions about disclosure or non-disclosure of the mature minor's medical information. **For any medical information the use or disclosure of which is more stringently restricted by West Virginia law than by federal law, we will abide by the more stringent restrictions imposed by West Virginia law.**

USES AND DISCLOSURES THAT MAY REQUIRE YOUR WRITTEN AUTHORIZATION. With the exceptions referred to below, we will not use or disclose your medical information of the kinds described below unless we receive your written authorization to do so:

Psychotherapy notes. Psychotherapy notes are notes recorded by a behavioral health provider documenting or analyzing the content of conversation during an individual, group, joint or family counseling session, which are separated from the rest of your medical record. Records of appointment times, medications, diagnoses, test results or other behavioral

health information not related to the content of a counseling session are not psychotherapy notes. We will not use or disclose psychotherapy notes without your written authorization to do so, except for the following uses and disclosures, which may be made without your authorization:

- by the originator of the notes for treatment;
- for training of our own students and employees in mental health;
- to defend us in a legal action or other proceeding brought by you;
- to the federal Secretary of Health and Human Services when required by him or her to investigate our compliance with applicable federal law;
- when required by law;
- for health oversight activities;
- to coroners and medical examiners about persons who have died; and
- to avert a serious threat to health or safety, to the extent the use or disclosure is necessary to avert such a threat and is to a person or persons who reasonably are able to prevent or lessen the threat.

Marketing. Marketing means communications about a product or service that encourages the person who receives the communication to buy or use the product or service. However, so long as we do not receive any payment from the provider of the product or service in return for making the communication, the following are not considered marketing communications:

- communications about medications already prescribed for you;
- communications to help with your treatment; and
- communications to you about treatment or non-treatment alternatives for your case management or coordination of your care.

We will not use or disclose your medical information for marketing purposes without your written authorization to do so, except for the following uses and disclosures, which may be made without your authorization:

- face-to-face communications with you; and
- promotional gifts of slight value from us to you.

If we make any marketing communication and receive payment from anyone other than you for making the communication, your authorization for us to make the communication must state that we will receive such payment.

Sale of medical information. A sale of medical information means, generally, our disclosing medical information in return for payment by the person or entity that received the information. Certain limited disclosures to our contractors and for treatment, payment, research and similar purposes are not considered sales even if we do receive payment for the disclosure. We will not sell your medical information unless we have your written authorization to do so. That authorization must state that we will receive payment for the disclosure.

All other uses and disclosures, not described above in this notice as permissible without authorization, will be made only with your written authorization. You may revoke your written authorization, for any use or disclosure that has not already occurred at the time you revoke, by sending a written notice of revocation to our Privacy Officer, using the contact information provided below. Any written revocation will be effective when it is received by our Privacy Officer.

CONTACT INFORMATION. You may contact us for further information or to make any complaints about the privacy of your health information at:

Privacy Officer
Marshall Health
1600 Medical Center Drive, Suite 3407, Huntington, WV 25701
Phone: 304-691-1616 | Email: hipaasom@marshall.edu

Certain notifications and requests, as described in this notice, must be in writing.

Effective date: August 1, 2013.